

### **REMARKS**

Applicant respectfully requests reconsideration. Claims 1-22 were previously pending in this application. By this amendment, Applicant is canceling claims 2 and 13 without prejudice or disclaimer. Claims 1 and 12 have been amended. As a result, claims 1, 3-12 and 14-22 are pending for examination with claims 1 and 12 being independent claims. No new matter has been added.

In the Office Action, claims 1-22 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the Examiner indicated that it was not clear what was intended by use of the claim term "emitter signal" and asked whether the signal is a radar or radio signal. The term "emitter signal" represents a radar signal that emanates from an emitter. Emitters which emit radar signals are described throughout the specification and shown, for example, in FIG.1. With this clarification, the claims are deemed to be in compliance with 35 U.S.C. §112.

In addition, the Examiner also indicated that the claim term "illumination time" is unclear. The Examiner asked whether it refers to an ordinary clock time, to an interval of time, or to something else. The claim term "illumination time" refers to a period of time when the transmission from an emitter is visible to a receiver. The term is used throughout the specification and this understanding should be appreciated to one skilled in the art.

With these clarifications, the claims are in compliance with 35 U.S.C. §112, second paragraph.

Claims 1 and 12 were deemed unpatentable over the Garcia et al. reference. Claims 2-11 and 13-22, however, were deemed allowable if rewritten to include all of the limitations of any base claim and intervening claims. Accordingly, Applicant has amended claim 1 to include the subject matter of previous claim 2 and amended claim 12 to include the subject matter of previous claim 13. Claims 2 and 13 have been canceled from the application. For these reasons, the claims are allowable.

### **CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

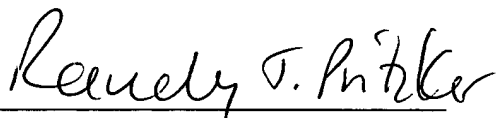
Serial No.: 10/675,544  
Conf. No.: 5969

- 7 -

Art Unit: 3662

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,  
*Anthony J. Gounalis, Applicant*

By:   
Randy J. Pritzker, Reg. No. 35,986  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: L0562.70043US00  
Date: November 30, 2004  
**x11/30/04x**